

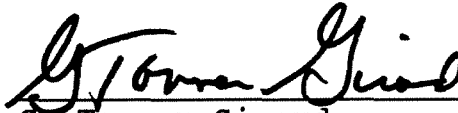
ILLINOIS POLLUTION CONTROL BOARD
April 21, 1994

ALBERT WARNER,)
)
Complainant,)
)
v.) PCB 93-65
) (Enforcement)
WARNER BROS. TRUCKING, INC. and)
URBANA & CHAMPAIGN SANITARY)
DISTRICT,)
)
Respondents.)

CONCURRING OPINION (by G. T. Girard):

I agree with the majority opinion and order in all aspects, except that I believe a fine of one thousand (\$1,000) dollars should have been levied against the Urbana and Champaign Sanitary District for the permit violations. The Board's finding that "the gravity of the violations is serious" is not totally mitigated by "the District's ready compliance with the Agency's suggested interpretations of the District's permit . . .". Contrary to the Board's finding in the majority opinion, a one thousand dollar (\$1,000) fine in addition to the cease and desist order would be a more effective deterrent.

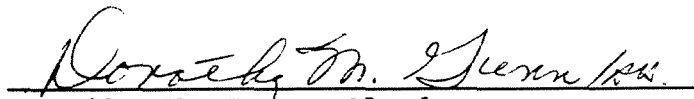
Therefore, I respectfully concur.



G. Tanner Girard
Board Member

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above concurring opinion was submitted on the 29th day of APRIL, 1994.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board